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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 JAMES ELLIS PAYNE,

11 Defendant.
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Case No. 2:14-cr-00185-LDG-GWF

ORDER

13 This matter is before the Court on Defendant's Motion to Withdraw Motion to Suppress
14 and Vacate the Evidentiary Hearing (#41), filed on February 27, 2015.

15 Defendant moves to vacate the evidentiary hearing set for this Thursday, March 5th, and
16 withdraw his motion to suppress. Accordingly,

17 **IT IS HEREBY ORDERED** that the Defendant's Motion to Withdraw (#41) the Motion
18 to Suppress (#29) is hereby **granted**.

19 **IT IS FURTHER ORDERED** that the hearing set for March 5, 2015, at 1:30 p.m. is
20 hereby **vacated**.

21 **DATED** this 3rd day of March, 2015.

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24 GEORGE FOLEY, JR.
25 United States Magistrate Judge
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